

**THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

DIAMONDHEAD CASINO
CORPORATION,

Debtor.

Chapter 7

Case No. 24-11354 (JKS)

RE: D.I. Nos. 47, 55, 63, 77, 78, 80, 82

ORDER DENYING MOTIONS FILED AT D.I. NOS. 47, 55 AND 63

Upon consideration of: (a) the *Motion of the Alleged Debtor, Diamondhead Casino Corporation, for a Stay of the Court's Opinion (D.I. 42) and Order (D.I. 43) Dated July 30, 2025 and Order (D.I. 45) Dated July 31, 2025 [D.I. 47], Pending Resolution of the Appeal*; (b) the *Motion of Deborah A. Vitale for Leave to Intervene and be Heard in the Above Captioned Case; and Motion to Vacate the Court's Opinion and Order Dated July 30, 2025 and Order Dated July 31, 2025 and Dismiss the Involuntary Petition or, Alternatively, to Alter and Amend the Opinion and Orders; and Stay of the Court's Opinion (D.I. 42) and Order (D.I. 43) Dated July 30, 2025 and Order (D.I. 45) Dated July 31, 2025, Pending Resolution of the Appeal [D.I. 55]* and (c) the *Motion of the Alleged Debtor, Diamondhead Casino Corporation, to Vacate the Court's Opinion and Order Dated July 30, 2025 and Order Dated July 31, 2025 and Dismiss the Involuntary Petition or, Alternatively, to Alter and Amend the Opinion and Orders [D.I. 63]* (collectively, the "Motions"), the *Brief in Support of Motion of the Alleged Debtor, Diamondhead Casino Corporation, to Vacate the Court's Opinion and Order Dated July 30, 2025 and its Order dated July 31, 2025 and Dismiss the Involuntary Petition or, Alternatively, to Alter and Amend the Opinion and Orders [D.I. 49]*, the omnibus objection of the Petitioning Creditors to the Motions [D.I. 77], the replies filed in support of the Motions [D.I. 80 and 82], and the letter on behalf of the Debtor regarding jurisdictional issues related to the Motions [D.I. 78] and the Court having

conducted a hearing on the Motions on September 3, 2025 (the “Hearing”); for the reasons stated on the record at the Hearing, it is hereby ORDERED THAT:

1. The Motions are denied.

Dated: September 4th, 2025
Wilmington, Delaware


J. KATE STICKLES
UNITED STATES BANKRUPTCY JUDGE